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6 Attorneys for Defendant
Mr. Miller
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) Case No. 2:21cr77-WBS
11)
Plaintiff,) **STIPULATION AND ORDER TO CONTINUE**
12) **STATUS CONFERENCE AND EXCLUDE TIME**
vs.)
13) Date: December 6, 2021
JAMES DEAN MILLER,) Time: 9:00 a.m.
14) Judge: Hon. William B. Shubb
Defendant.)
15)

16 IT IS HEREBY STIPULATED and agreed by and between Acting United States
17 Attorney Phillip A. Talbert, through Assistant United States Attorney Mira Chernick, counsel for
18 Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Hootan
19 Baigmohammadi, counsel for Defendant James Dean Miller, that the status hearing currently set
20 for December 6, 2021 at 9:00 be continued to January 31, 2022 at 9:00 a.m.

21 The parties specifically stipulate as follows:

- 22 1. By previous order, this matter was set for a status on December 6, 2021 at 9:00
23 a.m.
24 2. By stipulation, Mr. Miller now moves to continue the status conference to January
25 31, 2022 at 9:00 a.m.
26 3. The government has produced 248 pages of non-contraband discovery and made
27 the seized electronic evidence available for defense inspection.
28

4. The defense requires additional time to review the discovery, investigate and research possible defenses, research potential pretrial motions, consult with Mr. Miller, explore potential resolutions to the case, and otherwise prepare for trial.
5. Defense counsel believes that failure to grant the requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
6. The government does not object to the continuance.
7. For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (Speedy Trial Act), the parties request that the time period between December 6, 2021 and January 31, 2022, inclusive, be deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv) (Local Code T4), because it would result from a continuance granted by the Court at the defense's request, based on a finding that the ends of justice served by granting the continuance outweighs the best interest of the public and Mr. Miller in a speedy trial.

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Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

Date: November 29, 2021

/s/ Hootan Baigmohammadi
HOOTAN BAIGMOHAMMADI
Assistant Federal Defender
Attorneys for Defendant
Mr. Miller

Date: November 29, 2021

PHILLIP A. TALBERT
Acting United States Attorney


/s/ Mira Chernick
MIRA CHERNICK
Assistant United States Attorney
Attorneys for Plaintiff

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Dated: December 3, 2021


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE